

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21830 of 2024

Arising Out of PS. Case No.-398 Year-2023 Thana- JOKIHAT District- Araria

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Lukman son of Md. Hasan, resident of Village- Gogara PS- Jokihat District-
Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vijay Kishore Bharti, Advocate

For the Opposite Party/s : Mr. Jagdhar Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 04-04-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Jokihat P.S. Case no.398 of 2023 registered under sections 392 and 411 of the Indian Penal Code.

3. As per the prosecution case, the informant states that while he was returning home carrying Rs. 76,400/-, the three named accused persons including the petitioner herein on the point of knife dispossessed him of the amount as also other articles as mentioned in the FIR.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case for oblique reasons. No such occurrence as alleged in the FIR has taken place. It is further submitted that there is no explanation whatsoever for the fact that when the alleged occurrence took



place on 25.8.2023 at 5:30 pm, information was given to the police only on 27.8.2023 at 10:30 am. No incriminating article was recovered from the petitioner's possession. The alleged amount recovered from the petitioner's residence is an amount which may be available in any household. The petitioner is in custody since 28.8.2023 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the submissions made on behalf of the petitioner including the delay in giving information to the police, the petitioner having remained in custody for over 7 months since 28.8.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Jokihat P.S. Case no.398 of 2023 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Araria.

(Partha Sarthy, J)

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